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September 26, 2013

VIA EMAIL AND U.S. FIRST CLASS MAIL

U.S. Environmental Protection Agency, Region 8
Attn: Craig Myers
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Denver, CO 80132
Myers.craig@epa.gov

U.S. Environmental Protection Agency, Region 8
Attn: Steve Way, On Scene Coordinator
1595 Wynkoop
Denver, Colorado 80132
Way.steve@epa.gov

Re: Requests for Information

***Groendyke West Creek Tanker Spill on Hwy 141 at Milepost 120 near Gateway,
Colorado on January 29, 2013***

Dear Mr. Myers and Mr. Way:

We represent Groendyke Transport, Inc. ("Groendyke") on the above-referenced matter. Pursuant to any and all applicable Freedom of Information and Government in the Sunshine laws, we make the following information requests.

- a. On March 14, 2013, the EPA and the BLM issued guidance to recreationists about possible ongoing oil sheen from the Spill. In particular, EPA and BLM stated that "if people notice something different, they should call the National Response Center at 1-800-424-8802 or file a report online at <http://nrc.uscg.mil> and note that the report is related to the West Creek tanker spill." We therefore respectfully request any and all information regarding any reports made by recreationists regarding their experiences on the subject area of West Creek within the possession of CPW.

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- b. We have learned that on October 24, 2011, a tanker owned by Basin Western rolled over on Highway 141 near mile marker 128, spilling approximately 3,000 to 7,000 gallons of crude oil into and around West Creek. We respectfully request that any and all available information regarding this other nearby spill be provided, including, but not necessarily limited to, sampling, cleanup, remediation, natural resource damages, settlements and judgments.
 - c. Any and all information about current and/or historical aquatic life inventories including but not limited to fish, insect and larvae populations in West Creek from Mileposts 128 to 112 for the last five (5) years or going back in time older than five (5) years to the most recent existing data.
 - d. Any and all information about current and/or historic water quality information in West Creek from Mileposts 128 to 112 for the last five (5) years or going back in time older five (5) years to the most recent existing data.

Please apprise the undersigned of any response on these information requests. Please contact the undersigned if any costs of responding to this letter will exceed \$500.00. Please let us know if we should direct these information requests to any other entity within your organization. Any and all further communication regarding this matter should be directed to the Undersigned.

Very truly yours,



Cheryl A. Peterson, Esq.
For the Firm